

Steelman, D.O., the respondent's plant physician, both testified in person before the Administrative Law Judge at the preliminary hearing held on September 4, 1996. Robin Carey, a supervisor employed by the respondent at its Lawrence, Kansas plant and claimant's immediate supervisor from April 1996 through September 2, 1996, testified by deposition. The Administrative Law Judge granted claimant's request for medical treatment with Brad W. Storm, M.D., a board certified plastic and general surgeon specializing in hand surgery located in Olathe, Kansas.

The respondent contends claimant failed to present evidence at the preliminary hearing that her present thumb problems were related to her work activities. In fact, respondent argues that the more persuasive evidence proves that claimant's current complaints are more related to activities away from work than at work.

Claimant testified she started having pain in her arms, wrists, and hands while she was assembling small electrical units for the respondent as early as 1993. Those symptoms accelerated to a point that they were constant and finally she could not tolerate the pain. At that time, she reported her symptoms to her supervisor on April 6, 1995.

Claimant was seen by the plant physician, Dr. Steelman, who took her off the assembly job. Dr. Steelman provided claimant with conservative treatment in the form of physical therapy and thumb abductor splints. Claimant was placed on a temporary light-duty job of filing and performing paperwork. Claimant was then returned to her regular assembly job on a trial basis but could not tolerate the job because of the pain. Dr. Steelman opined that claimant's present job did not require her to use her thumbs. Therefore, Dr. Steelman believed claimant's current thumb condition was not related to her work activities.

In August 1995, claimant was transferred to a permanent job of data entry which she was successfully performing on the date of the preliminary hearing. The data entry job's main function was to utilize a keyboard to enter data into a computer. This job has limited involvement of claimant's thumbs. However, claimant testified that her thumbs had remained symptomatic although she had been changed from the assembly job to the data entry job in August 1995. Claimant testified she still suffered pain in her hands when she had to pick up items and perform any extensive handwriting activities. Furthermore, everyday activities at home, e.g., opening cans, lifting pans, and stirring food, caused her pain.

Claimant was evaluated and treated by a number of physicians for her bilateral thumb complaints in addition to respondent's physician, Dr. Steelman. Mary Ann Hoffman, M.D., an orthopedic surgeon, saw claimant on July 14, 1995, and diagnosed lateral subluxation of both first carpal metacarpal joints. Dr. Hoffman related the problems to claimant's work and recommended reconstructive surgery to be performed by a hand surgeon.

Claimant's family physician, Richard Sosinski, M.D., referred claimant to orthopedic surgeon, Thomas R. Samuelson, M.D., and hand surgeon, Brad W. Storm, M.D. Dr. Samuelson saw claimant on September 15, 1995, and October 20, 1995, diagnosing deQuervain's tenosynovitis bilaterally, and mild subluxation of the first carpometacarpal joints. He instructed claimant to continue working with thumb abductor splints, prescribed anti-inflammatory medication, exercises, and cortisone injections, if claimant continued to be

symptomatic. The doctor's medical note of October 20, 1995, attributed claimant's symptoms to her work.

Dr. Storm saw claimant on November 13, 1995. He diagnosed deQuervain's syndrome and flexor tendonitis. The doctor attributed both of those conditions to claimant's work. The doctor recommended ice therapy, splinting both thumbs, and anti-inflammatory medication. If claimant remained symptomatic, Dr. Storm recommended steroid injections and, as the last option, surgical release of the first dorsal compartment.

The Appeals Board finds claimant's testimony established that her thumbs remained symptomatic following her change from the repetitive assembly work to the data entry work in August 1995. The medical records admitted into evidence at the preliminary hearing indicate that two orthopedic surgeons and a hand surgeon who all personally examined the claimant attribute her current thumb condition to her work activities. The Appeals Board finds that claimant's testimony coupled with the medical opinions contained in the medical records support the conclusion that claimant's current need for medical treatment is for a bilateral thumb injury related to her employment. Accordingly, the Appeals Board affirms the Order of the Administrative Law Judge granting claimant's request for medical treatment.

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the preliminary hearing Order entered by Administrative Law Judge Floyd V. Palmer dated December 4, 1996, should be, and is hereby, affirmed in all respects.

IT IS SO ORDERED.

Dated this ____ day of February 1997.

BOARD MEMBER

c: James L. Wisler, Topeka, KS
Bryce Moore, Overland Park, KS
Ann Hoover, Topeka, KS
Floyd V. Palmer, Administrative Law Judge
Philip S. Harness, Director